

[Roll No. 296]

AYES—262

Aderholt	Gibbons	Northup
Akin	Gilchrest	Nunes
Bachus	Gillmor	Nussle
Baker	Gingrey	Osborne
Ballenger	Gonzalez	Ose
Barrett (SC)	Goode	Otter
Bartlett (MD)	Goodlatte	Oxley
Barton (TX)	Goss	Paul
Bass	Granger	Pearce
Beauprez	Graves	Pence
Bell	Green (WI)	Peterson (MN)
Bereuter	Greenwood	Peterson (PA)
Biggett	Gutknecht	Petri
Bilirakis	Hall	Pickering
Bishop (GA)	Harman	Pitts
Bishop (UT)	Harris	Platts
Blackburn	Hart	Pombo
Blunt	Hastert	Porter
Boehlert	Hastings (WA)	Portman
Boehner	Hayes	Pryce (OH)
Bonilla	Hayworth	Putnam
Bonner	Hefley	Quinn
Bono	Hensarling	Radanovich
Boozman	Herger	Ramstad
Bradley (NH)	Hobson	Regula
Brady (TX)	Hoekstra	Rehberg
Brown (SC)	Hostettler	Renzi
Brown-Waite,	Houghton	Reynolds
Ginny	Hulshof	Rogers (AL)
Burgess	Hunter	Rogers (KY)
Burns	Hyde	Rogers (MI)
Burr	Isakson	Rohrabacher
Burton (IN)	Israel	Ros-Lehtinen
Buyer	Issa	Rothman
Calvert	Istook	Royce
Camp	Jackson-Lee	Rush
Cannon	(TX)	Ryan (WI)
Cantor	Janklow	Ryun (KS)
Capito	Jenkins	Sanchez, Loretta
Carson (OK)	John	Saxton
Carter	Johnson (CT)	Schrock
Case	Johnson (IL)	Sensenbrenner
Castle	Johnson, Sam	Sessions
Chabot	Jones (NC)	Shadegg
Chocola	Keller	Shaw
Coble	Kelly	Shays
Cole	Kennedy (MN)	Sherwood
Collins	King (IA)	Shimkus
Cooper	King (NY)	Shuster
Cox	Kingston	Simmons
Cramer	Kirk	Simpson
Crane	Kline	Skelton
Crenshaw	Knollenberg	Smith (MI)
Cubin	Kolbe	Smith (TX)
Culberson	LaHood	Snyder
Cunningham	Latham	Souder
Davis (AL)	LaTourette	Stearns
Davis (IL)	Leach	Stenholm
Davis (TN)	Lewis (CA)	Sullivan
Davis, Jo Ann	Lewis (KY)	Sweeney
Davis, Tom	Linder	Tancredo
Deal (GA)	Lipinski	Tauzin
DeLay	LoBiondo	Taylor (MS)
DeMint	Lucas (KY)	Taylor (NC)
Diaz-Balart, L.	Lucas (OK)	Terry
Diaz-Balart, M.	Manzullo	Thomas
Doolley (CA)	Marshall	Thornberry
Doolittle	Matheson	Tiberi
Dreier	McCarthy (MO)	Toomey
Duncan	McCotter	Turner (OH)
Dunn	McCrery	Turner (TX)
Edwards	McHugh	Upton
Ehlers	McInnis	Velazquez
Emerson	McIntyre	Vitter
English	McKeon	Walden (OR)
Everett	Meek (FL)	Walsh
Feeney	Mica	Wamp
Ferguson	Miller (FL)	Weldon (FL)
Flake	Miller (MI)	Weldon (PA)
Fletcher	Miller, Gary	Weller
Foley	Moran (KS)	Whitfield
Forbes	Moran (VA)	Wicker
Fossella	Murphy	Wilson (NM)
Franks (AZ)	Musgrave	Wilson (SC)
Frelinghuysen	Myrick	Wolf
Gallely	Nethercutt	Wynn
Garrett (NJ)	Neugebauer	Young (AK)
Gerlach	Ney	Young (FL)

NOES—162

Abercrombie	Baird	Berry
Ackerman	Baldwin	Bishop (NY)
Alexander	Ballance	Blumenauer
Allen	Becerra	Boswell
Andrews	Berkley	Boucher
Baca	Berman	Boyd

Brady (PA)	Jones (OH)	Pastor
Brown (OH)	Kanjorski	Payne
Brown, Corrine	Kaptur	Pelosi
Capps	Kennedy (RI)	Pomeroy
Capuano	Kildee	Price (NC)
Cardin	Kilpatrick	Rahall
Cardoza	Kind	Rangel
Clay	Kleczka	Reyes
Clyburn	Kucinich	Rodriguez
Crowley	Lampson	Ross
Cummings	Langevin	Roybal-Allard
Davis (CA)	Lantos	Ruppersberger
Davis (FL)	Larsen (WA)	Ryan (OH)
DeFazio	Larson (CT)	Sabo
DeGette	Lee	Sanchez, Linda
Delahunt	Levin	T.
DeLauro	Lewis (GA)	Sanders
Deutsch	Lofgren	Sandlin
Dicks	Lowe	Schakowsky
Dingell	Lynch	Schiff
Doggett	Majette	Scott (GA)
Doyle	Maloney	Scott (VA)
Emanuel	Markley	Serrano
Engel	Matsui	Sherman
Eshoo	McCarthy (NY)	Slaughter
Everidge	McCollum	Solis
Evans	McDermott	Spratt
Farr	McGovern	Stark
Fattah	Meehan	Strickland
Filner	Meeks (NY)	Stupak
Ford	Menendez	Tanner
Frank (MA)	Michaud	Tauscher
Frost	Millender-	Thompson (CA)
Gordon	McDonald	Thompson (MS)
Green (TX)	Miller (NC)	Tierney
Grijalva	Miller, George	Towns
Gutierrez	Mollohan	Udall (CO)
Hill	Moore	Udall (NM)
Hinchey	Murtha	Van Hollen
Hinojosa	Nadler	Visclosky
Hoeffel	Napolitano	Waters
Holden	Norwood	Watson
Holt	Oberstar	Watt
Honda	Obey	Waxman
Hookey (OR)	Olver	Weiner
Hoyer	Ortiz	Wexler
Inslee	Owens	Woolsey
Jackson (IL)	Pallone	Wu
Jefferson	Pascrell	

NOT VOTING—11

Carson (IN)	Hastings (FL)	Smith (NJ)
Conyers	Johnson, E. B.	Smith (WA)
Costello	McNulty	Tiahrt
Gephardt	Neal (MA)	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1707

Mr. RUSH changed his vote from "no" to "aye."

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 295, had I been present on the Motion to Recommit, I would vote "aye"; on the next rollcall, No. 296—final passage—I would vote "no".

PERMISSION FOR COMMITTEE ON APPROPRIATIONS TO HAVE UNTIL MIDNIGHT MONDAY, JUNE 23, 2003, TO FILE PRIVILEGED REPORT ON DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2004

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Monday, June 23, 2003,

to file a privileged report making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, and for other purposes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. Pursuant to clause 1 of rule XXI, points of order are reserved.

STRENGTHEN AMERICORPS PROGRAM ACT

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 1276) to improve the manner in which the Corporation for National and Community Service approves, and records obligations relating to national service positions, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Clerk read the Senate bill, as follows:

S. 1276

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

This Act may be cited as the "Strengthen AmeriCorps Program Act".

## SEC. 2. PROCESS OF APPROVAL OF NATIONAL SERVICE POSITIONS.

(a) DEFINITIONS.—In this Act, the terms "approved national service position" and "Corporation" have the meanings given the terms in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511).

(b) TIMING AND RECORDING REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, in approving a position as an approved national service position, the Corporation—

(A) shall approve the position at the time the Corporation—

(i) enters into an enforceable agreement with an individual participant to serve in a program carried out under subtitle E of title I of that Act (42 U.S.C. 12611 et seq.) or title I of the Domestic Volunteer Service Act of 1973 (42 U.S.C. 4951 et seq.); or

(ii) except as provided in clause (i), awards a grant to (or enters into a contract or cooperative agreement with) an entity to carry out a program for which such a position may be approved under section 123 of the National and Community Service Act of 1990 (42 U.S.C. 12573); and

(B) shall record as an obligation an estimate of the net present value of the national service educational award associated with the position, based on a formula that takes into consideration historical rates of enrollment in such a program, and of earning and using national service educational awards for such a program.

(2) FORMULA.—In determining the formula described in paragraph (1)(B), the Corporation shall consult with the Director of the Congressional Budget Office.

(3) CERTIFICATION REPORT.—The Chief Executive Officer of the Corporation shall annually prepare and submit to Congress a report that contains a certification that the Corporation is in compliance with the requirements of paragraph (1).

(4) APPROVAL.—The requirements of this subsection shall apply to each approved national service position that the Corporation approves—

(A) during fiscal year 2003 (before or after the date of enactment of this Act); and  
(B) during any subsequent fiscal year.

(c) RESERVE ACCOUNT.—

(1) ESTABLISHMENT AND CONTENTS.—

(A) ESTABLISHMENT.—Notwithstanding subtitles C and D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12571 et seq., 12601 et seq.), and any other provision of law, within the National Service Trust established under section 145 of the National and Community Service Act of 1990 (42 U.S.C. 12601), the Corporation shall establish a reserve account.

(B) CONTENTS.—To ensure the availability of adequate funds to support the awards of approved national service positions for each fiscal year, the Corporation shall place in the account—

(i) during fiscal year 2003, a portion of the funds that were appropriated for fiscal year 2003 or a previous fiscal year under section 501(a)(2) (42 U.S.C. 12681(a)(2)), were made available to carry out subtitle C or D of title I of that Act, and remain available; and

(ii) during fiscal year 2004 or a subsequent fiscal year, a portion of the funds that were appropriated for that fiscal year under section 501(a)(2) and were made available to carry out subtitle C or D of title I of that Act.

(2) OBLIGATION.—The Corporation shall not obligate the funds in the reserve account until the Corporation—

(A) determines that the funds will not be needed for the payment of national service educational awards associated with previously approved national service positions; or

(B) obligates the funds for the payment of such awards for such previously approved national service positions.

(d) AUDITS.—The accounts of the Corporation relating to the appropriated funds for approved national service positions, and the records demonstrating the manner in which the Corporation has recorded estimates described in subsection (b)(1)(B) as obligations, shall be audited annually by independent certified public accountants or independent licensed public accountants certified or licensed by a regulatory authority of a State or other political subdivision of the United States in accordance with generally accepted auditing standards. A report containing the results of each such independent audit shall be included in the annual report required by subsection (b)(3).

(e) AVAILABILITY OF AMOUNTS.—Except as provided in subsection (c), all amounts included in the National Service Trust under paragraphs (1), (2), and (3) of section 145(a) of the National and Community Service Act of 1990 (42 U.S.C. 12601(a)) shall be available for payments of national service educational awards under section 148 of that Act (42 U.S.C. 12604). The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 2471, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2004

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet the week of June 23 to grant a rule which could limit the amendment process for floor consideration of H.R. 2417, the Intelligence Authorization Act for Fiscal Year 2004. The Permanent Select Committee on Intelligence filed its report in the House yesterday, June 18, 2003.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Committee on Rules in Room H-312 of the Capitol by 10 a.m. on Tuesday, June 24.

Members should draft their amendments to the text of the bill as reported by the Permanent Select Committee on Intelligence.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain their amendments comply with the rules of the House.

#### LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I take this time for the purpose of inquiring of the majority leader the schedule for the House.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. Mr. Speaker, I will be glad to yield to the majority leader for the purposes of informing us of the proposed schedule for next week.

Mr. DELAY. Mr. Speaker, I thank the gentleman from Maryland for yielding to me.

Mr. Speaker, the House will convene on Monday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m. Monday.

For Tuesday and the balance of the week, we will consider several additional measures under suspension of the rules. We will also consider the fiscal year 2004 Homeland Security appropriations bill; the Intelligence Authorization Act for Fiscal Year 2004; H.R. 1, the Medicare Prescription Drug and Modernization Act; and the Fiscal Year 2004 Military Construction Appropria-

tions bill; and, finally, we may consider H.R. 2351, the Health Savings Account Availability Act.

I thank the gentleman for yielding, and I am happy to answer any questions he may have.

Mr. HOYER. I thank the gentleman for providing us with that information. The leader points out that the Medicare prescription drug bill will be on the floor.

First I would like to know, Mr. Leader, if you know which day of the week or days of the week can we expect to see the Medicare prescription drug bill on the floor?

Mr. DELAY. If the gentleman will yield, I would anticipate that the Medicare bill would probably come later in the week. I cannot give the gentleman a firm time, but I would anticipate either late Wednesday or certainly no later than Thursday.

Mr. HOYER. It would be the intention of the leader to have this bill finished prior to the end of next week?

Mr. DELAY. We anticipate to finish that bill. I know it is a big, complicated measure, but it would be our intention to finish that before we broke for the July 4th district work period.

Mr. HOYER. Reclaiming my time, Mr. Leader, obviously this will be one of the most important bills that we consider during this session of the Congress of the United States, and I would ask if it is the gentleman's intention and the leadership on your side's intention to provide a rule which will allow the minority to offer such amendments as it deems to be appropriate, to offer a substitute that it deems to be appropriate, and to provide sufficient time to debate those amendments?

I yield further to the gentleman from Texas.

Mr. DELAY. I appreciate the gentleman yielding further.

As the gentleman knows, this gentleman is very hesitant to speak for the Committee on Rules, but we do understand how important the Medicare Modernization Act is, how important it is to the seniors of this country, and we would give the minority every consideration to provide a substitute.

Mr. HOYER. Reclaiming my time, we appreciate the fact that the gentleman will be, I am not sure I heard you, you will be giving us a substitute or you will consider giving us a substitute. I am not sure I understood.

Mr. DELAY. If the gentleman will yield, it concerned me when the gentleman said "what the minority deems as a substitute." Obviously we need to look at all of these things individually and considerations need to be made.

For instance, one consideration is, is the substitute within the bounds of the Budget Act and the budget rules of this House? That may not be the qualifying issue, but that is one example of issues that we consider.

The bill marked up, at least, in the Committee on Ways and Means, I know the Committee on Energy and Commerce has not finished yet, but the bill